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9 *Attorneys for Defendant Continental Casualty Company, on*  
*behalf of itself and "CNA Insurance Company, Inc.," which is*  
10 *not a legal entity*

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 THE FOCAL POINT, LLC, a California limited  
liability company; ANDREW SPINGLER;  
15 LINDA SPINGLER; G. CHRISTOPHER  
RITTER; and SCOTT HILTON,

16 Plaintiffs,

17 v.

18 CNA INSURANCE COMPANY, INC.;  
19 CONTINENTAL CASUALTY COMPANY,

20 Defendants.

No. C07-05764 MHP

**[PROPOSED] ORDER GRANTING  
DEFENDANT CONTINENTAL  
CASUALTY COMPANY'S MOTION  
FOR SUMMARY JUDGMENT**

Date: April 28, 2008  
Time: 2:00 p.m.  
Dept. 15

1 Defendant Continental Casualty Company's ("Continental") Motion for Summary  
2 Judgment came on regularly for hearing before this Court on April 28, 2008, at 2:00 p.m., in  
3 Department 15.

4 After full consideration of the moving papers and the opposing papers, and the authorities  
5 submitted by counsel, as well as counsels' oral argument, IT IS THEREFORE ORDERED that  
6 Continental's Motion for Summary Judgment is hereby GRANTED and that judgment be entered  
7 forthwith in favor Continental and against Plaintiffs in this action.

8 ENTERED this \_\_\_\_ day of \_\_\_\_\_, 2008.  
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10  
11 JUDGE OF THE UNITED STATES DISTRICT  
12 COURT

13 Submitted by,

14 ROSS, DIXON & BELL, LLP

15 /s/ Richard A. Simpson  
16 Monique M. Fuentes  
17 Richard A. Simpson  
18 *Attorneys for Defendant*  
19 Continental Casualty Company  
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